



## ORDINANCE NO. 3330

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS AS HERETOFORE AMENDED, BY AMENDING THE DEVELOPMENT REGULATIONS OF PLANNED DISTRICT NO. 81 (PD-81) TO AUTHORIZE SPECIFIC USE PERMITS FOR HOTELS IN THE EMPLOYMENT AREA SUBDISTRICT; GRANTING A SPECIFIC USE PERMIT FOR TWO HOTELS ON THE WESTERN 3.5± ACRE PORTION OF LOT 2, BLOCK B, MIRA LAGO VISTA ADDITION, CITY OF FARMERS BRANCH, ADOPTING A SITE PLAN, LANDSCAPE PLAN, AND BUILDING ELEVATIONS; PROVIDING FOR OTHER SPECIAL CONDITIONS AND EXCEPTIONS; MAKING CERTAIN FINDINGS; PROVIDING A SAVINGS CLAUSE; PROVIDING A CONFLICT RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING INJUNCTIVE RELIEF; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2000.00) DOLLARS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

**SECTION 1.** The Comprehensive Zoning Ordinance and Zoning Map of the City of Farmers Branch, Texas, as amended, be further amended by amending Paragraph b) of Article Three "Land Uses," Section B "Employment Core Area," Subsection 3 "Specific Use Permit Required," as set forth in Exhibit "B" of Ordinance No. 2578, as amended by Ordinance Nos. 2944, 2950, and 3290 creating Planned Development Zoning District No. 81 ("PD-81") (collectively, "the PD-81 Development Standards") as follows:

- b) Hotels, including Residence Hotels.

**SECTION 2.** A Specific Use Permit for a Hotel is hereby granted for development of the western 3.5± acres of Lot 2, Block B, Mira Lago Addition, an addition to the City of Farmers Branch, Texas, according to the plat thereof recorded in Volume 2004136, Page 134, Map Records, Dallas County, Texas ("the Property") as shown on the Site Plan for hotel uses, subject to the following development and use regulations:



- A. Except as otherwise set forth in this Ordinance, the Property shall be developed in accordance with the PD-81 Development Regulations applicable to the Employment Core Area.
- B. The Property shall be developed and used substantially as set forth in the Site Plan, Landscape Plan, and Building Elevations attached hereto as Exhibits "A," "B," and "C," respectively, and incorporated herein by reference.
- C. Notwithstanding Article Four, Section A.1.a of the PD-81 Development Standards, Building 1 (as shown on the Site Plan) may be set back greater than ten feet (10.0') from the eastbound frontage road of Interstate Highway 635 in accordance with the Site Plan.
- D. Notwithstanding anything to the contrary in Article Nine, Section J. of the PD-81 Development Standards, the roofing system and all roof mounted equipment installed or constructed on the buildings located on the Property may be screened through the use of parapet exterior walls with a monolithic PVC membrane flat roofing system with internal storm drains; provided, which screening system must be designed and installed in such a manner as to (i) screen from public view such roofing systems and roof mounted equipment and (ii) be substantially similar in appearance to the Building Elevations.
- E. Only Buildings 1 and 2, as labeled on the Site Plan, shall be developed and used for Hotel purposes, and only Building 2 may be developed as a Residence Hotel.
- F. No building permit for the construction of any building on the Property shall be granted until the entirety of Lot 2, Block B, Mira Lago Addition, an addition to the City of Farmers Branch, Texas, according to the plat thereof recorded in Volume 2004136, Page 134, Map Records, Dallas County, Texas, has been replatted consistent with the Site Plan.
- G. No certificate of occupancy for any building to be constructed on the Property shall be issued unless and until construction of the public street shown on the Site Plan on the west side of the Property is completed and accepted by the Director of Public Works or designee for maintenance by the City.

**SECTION 3.** The Specific Use Permit granted pursuant to Section 2, above, is made following a recommendation by the Planning and Zoning Commission at its regular meeting held on June 8, 2015, and upon the following findings:

- A. The type of hotel use for the Property authorized by this Ordinance as described on the Site Plan is compatible and consistent with, and will have no adverse affect on, existing uses located on developed property in the area of the Property;
- B. The hotel use authorized by this Ordinance is equal to or exceeds development and operation standards of other hotel or motel or other uses in the area of the Property;



- C. The hotel use authorized by this Ordinance will not adversely affect the ability to locate, in the future, additional uses that are allowed with PD-81; and
- D. The location of the hotels on the Property in accordance with the Site Plan is an appropriate use, design, and layout for the Property and the area notwithstanding the Property is less than four (4) acres in area.

**SECTION 4.** In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

**SECTION 5.** Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

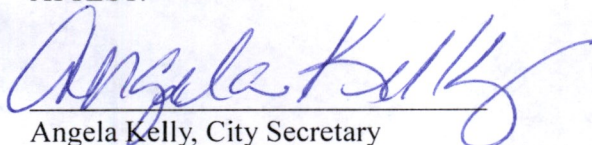
**SECTION 6.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 7.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

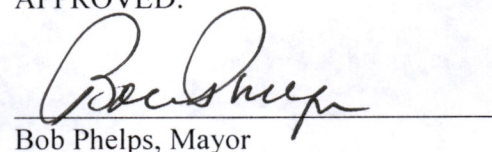
**SECTION 8.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS 4<sup>TH</sup> DAY OF AUGUST, 2015.**

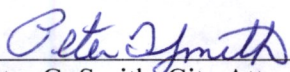
ATTEST:

  
Angela Kelly, City Secretary

APPROVED:

  
Bob Phelps, Mayor

APPROVED AS TO FORM:

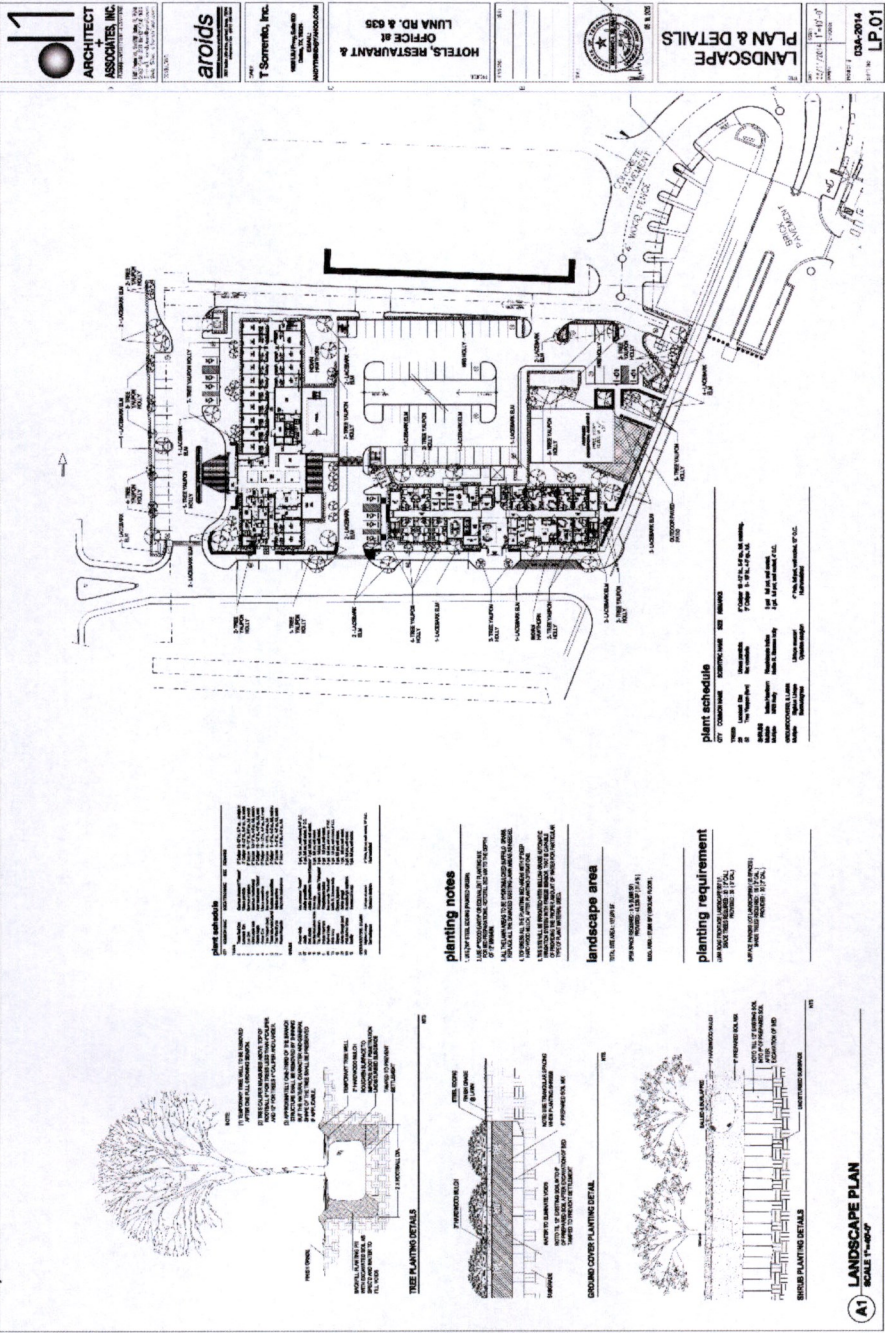
  
Peter G. Smith, City Attorney  
(kbl:7/24/15:72652)





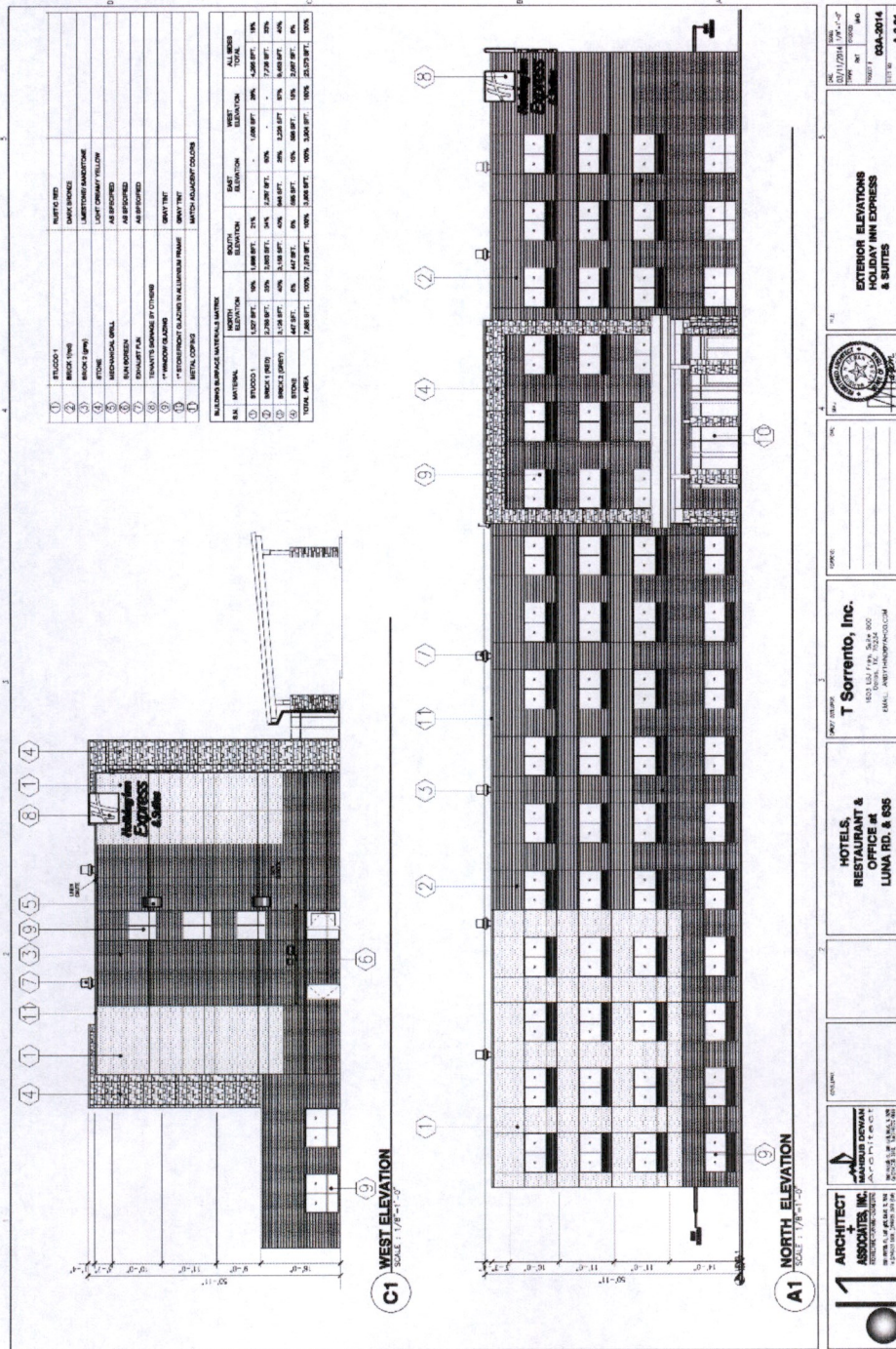


# Ordinance No. 3330 Exhibit "B" – Landscape Plan





# Ordinance No. 3330 Exhibit "C" – Elevations



**T Sorrento, Inc.**  
1000 S. 10th St.  
Tulsa, OK 74106  
TEL: (918) 438-1234  
FAX: (918) 438-1235  
EMAIL: T@TSORRENTO.COM

**HOTELS, RESTAURANT & OFFICE at LUNA RD. & 65**

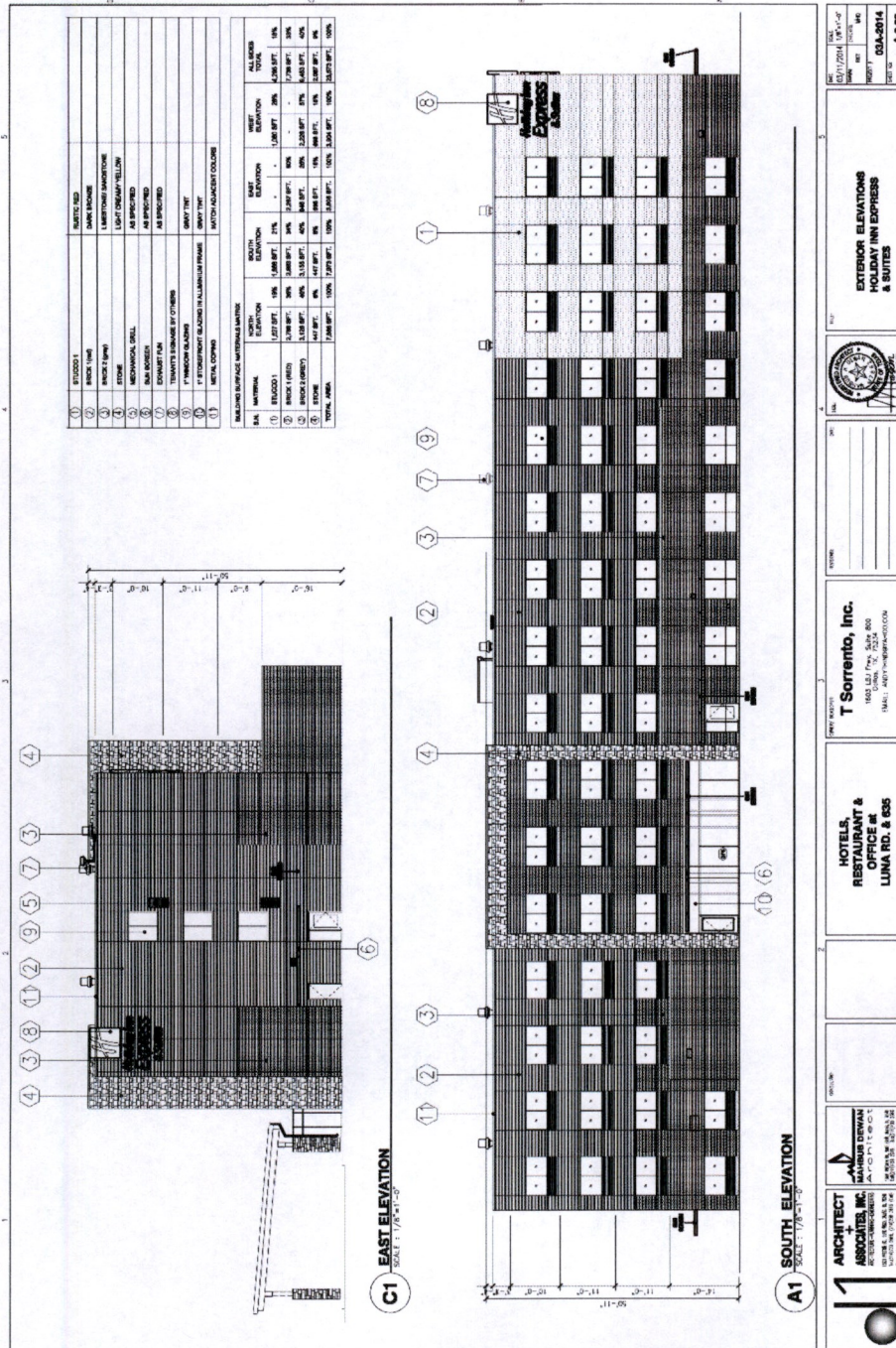
**ARCHITECT ASSOCIATES, INC.**  
1000 S. 10th St.  
Tulsa, OK 74106  
TEL: (918) 438-1234  
FAX: (918) 438-1235  
EMAIL: T@TSORRENTO.COM

**EXTERIOR ELEVATIONS  
HOLIDAY INN EXPRESS & SUITES**

DATE: 10/1/2014  
DRAWN BY: JAC  
CHECKED BY: JAC  
SCALE: 1/8"=1'-0"  
SHEET: 1 OF 1  
PROJECT: 001-2014  
A-3.01



**Ordinance No. 3330**  
**Exhibit "C" –Elevations (cont)**



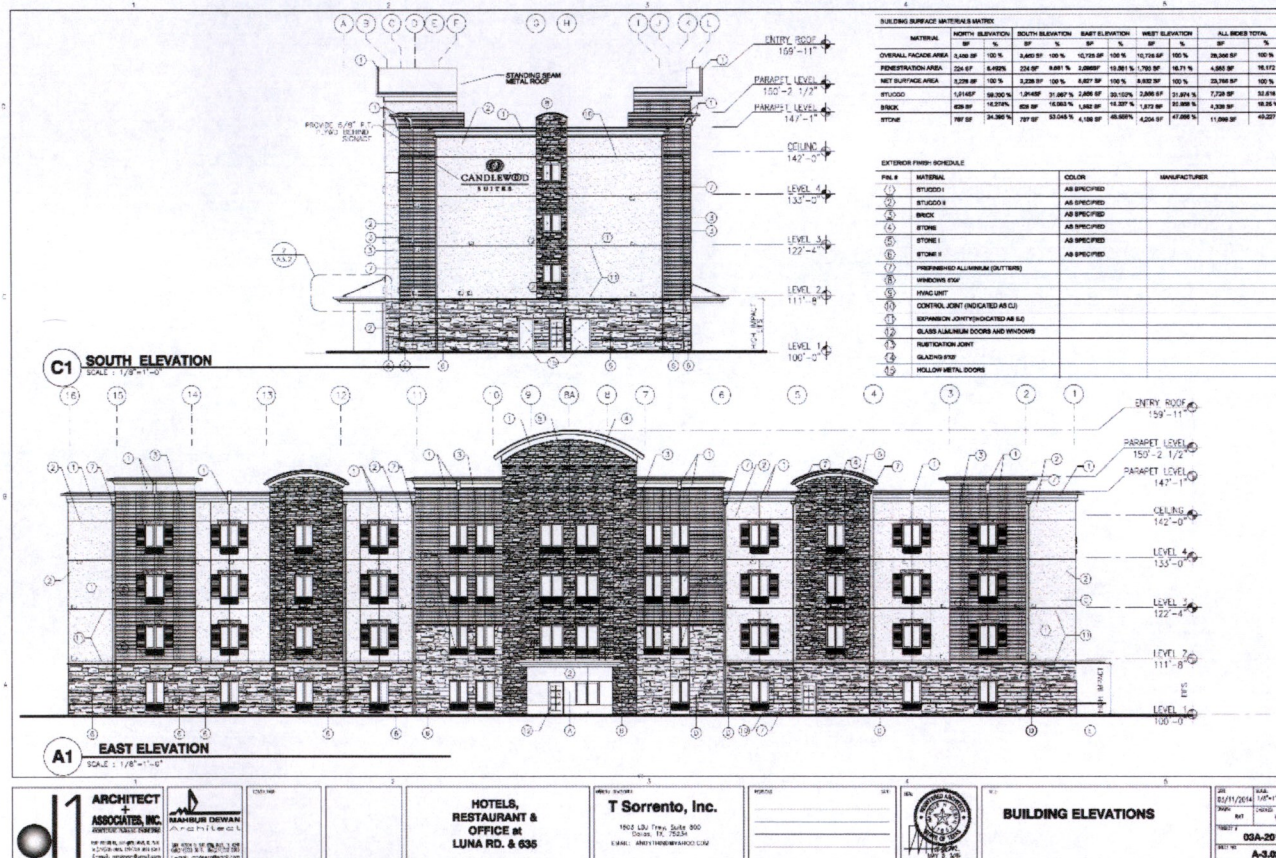


**TABLE OF MATERIALS**

SECTION	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
FLOORING	WOOD FLOORING	10,000	SQ. FT.	\$1.50	\$15,000.00
	CARPET FLOORING	5,000	SQ. FT.	\$2.00	\$10,000.00
CEILING	WOOD CEILING	10,000	SQ. FT.	\$1.00	\$10,000.00
	POP CEILING	5,000	SQ. FT.	\$0.50	\$2,500.00
WALLS	BRICK WALLS	10,000	SQ. FT.	\$1.00	\$10,000.00
	PLASTER WALLS	5,000	SQ. FT.	\$0.50	\$2,500.00
DOORS	WOOD DOORS	10	EA.	\$100.00	\$1,000.00
	GLASS DOORS	5	EA.	\$200.00	\$1,000.00
WINDOWS	WOOD WINDOWS	100	EA.	\$50.00	\$5,000.00
	GLASS WINDOWS	50	EA.	\$100.00	\$5,000.00
ROOF	FLAT ROOF	10,000	SQ. FT.	\$0.50	\$5,000.00
	GABLE ROOF	5,000	SQ. FT.	\$0.50	\$2,500.00
PAINT	INTERIOR PAINT	10,000	SQ. FT.	\$0.10	\$1,000.00
	EXTERIOR PAINT	5,000	SQ. FT.	\$0.10	\$500.00
LANDSCAPE	PLANTING	100	EA.	\$10.00	\$1,000.00
	IRRIGATION	100	EA.	\$10.00	\$1,000.00
TOTAL					\$70,000.00
					\$70,000.00



Ordinance No. 3330  
Exhibit "C" – Elevations (cont.)





**Ordinance No. 3330**  
**Exhibit "C" – Elevations (cont.)**

